

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PAUL M. ZAPATA,
Petitioner,
v.
RODOLFO VASQUEZ,
Respondent.

Case No. [10-cv-0176-TEH](#)

ORDER REOPENING CASE AND
GRANTING PETITION

The Ninth Circuit reversed and remanded this action under 28 U.S.C. § 2254 with directions to grant the petition for habeas corpus. The mandate was issued on September 8, 2015.

Therefore, the case is REOPENED and the petition for writ of habeas corpus is GRANTED. Respondent shall release Petitioner unless the state commences proceedings to retry him within one hundred and twenty (120) days of this order.

For the foregoing reasons and for good cause shown,

1. The case is REOPENED.

2. The petition is GRANTED. Respondent shall release Petitioner unless the state commences proceedings to retry him within one hundred and twenty (120) days of this order.

3. The Clerk shall serve this order upon Petitioner's counsel of record, Respondent, the Santa Clara County Public Defender's Office, and the Santa Clara County District Attorney's Office.

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